

MINUTES  
MOUNT VERNON PLANNING AND ZONING COMMISSION  
JANUARY 13, 2016

The Mount Vernon Planning and Zoning Commission met January 13, 2016 at Mount Vernon City Hall Council Chambers with the following members present: Truman Jordan, Rich Hileman, Richard Peterson and Matthew Nelson. Absent: Trude Elliott and Joan Burge. Also in attendance, Zoning Administrator, Matt Siders, City Administrator, Chris Nosbisch and Chad Sands from ECICOG. Meeting was called to order by Chairperson Truman Jordan at 6:34 p.m.

1. Approval of Agenda and December 9, 2015 minutes. These documents stand approved unless otherwise indicated by Commission members.
2. Open Forum: each citizen limited to 5 minutes per discussion item.
3. Public Hearing and discussion and possible action regarding Comprehensive Plan updates. Possible recommendation from Planning and Zoning to forward on to City Council for approval. Jordan opened the public hearing at 6:38 p.m. Chad Sands from ECICOG explained that it has been almost a two year process putting this Comprehensive Plan together. It started with a series of town meetings, which were very well attended by the public, to receive input. Over the course of the next two years, the City created a Planning Committee made up of all of the Planning and Zoning Commission plus numerous other individuals from the community. This committee met monthly over the course of about a year and a half, drafting the plan based on the input that was received early on from the public. That planning committee sent the plan to the Planning and Zoning Commission last November. For the last couple of months the Commission has revised it somewhat and prepared the maps with the help of experts from the City staff, the City's engineering department and the committee itself. What is presented tonight is a draft plan that the Planning and Zoning Commission will consider once additional public input is received. They will make a final recommendation that will go to the City Council, which will then review the plan and take into consideration the Planning and Zoning Commission's recommendation. There will be another public hearing at the City Council level. Ultimately the City Council will adopt the plan by resolution. Sands went on to say that a Comprehensive Plan is the cornerstone of a City's growth and development and is used not only by Council and Planning and Zoning, but the public as well in determining how the City is going to grow and what it will look like over the course of the next 20 years.

John Henik addressed the Commission with concerns that he and several other land owners in the County had about not being involved in the planning process

for the Comprehensive Plan and how it would affect his property. He lives outside of the City limits and was concerned that when discussing future land use, they were not notified that their properties would be involved. He stated that as the City moves forward with their growth, they need to consider those properties that they are considering annexing. Do the property owners have a voice in that and what they would like to see? Is there a friendly annexation process? How do they become more collaborative in the process? Henik lives on Willow Creek Road and he didn't see anything in the land use plan that addresses retention basins or water runoff. He also has concerns about the land use map and the parcel directly across from his land being changed from Light Industrial to Suburban Residential and asked what the rationale for the change was. Truman Jordan stated that the entire area was designated Light Industrial originally, but someone pointed out that there were currently houses in that area and that was the reason for the change. Richard Peterson said what they were trying to do was buffer the residential areas from Light Industrial and Commercial, so it makes sense to have a band of residential down the west side of the City and then the Light Industrial a bit more removed from the residential areas. Henik asked if zoning in these areas was flexible for change in the future or is the City committed to this plan once it is approved. Peterson said that this was only a blueprint and if this plan gets adopted by the City, it does not mean that all of that land is automatically annexed. There is a process that must be followed. Peterson also said that this plan is not the "law", it is a guide for how the City should grow in the future. Henik said it is great that there is a plan but encouraged the City to contact the county residents in the future for input and let them be part of the process.

Chad Sands said that the plan does lay out a couple of future growth areas in and around the City, which mainly go beyond the City limits. The plan does not, however, advocate immediate annexing. Any annexation would be voluntary. The plan does not advocate involuntary annexation. Even though the City is laying out growth areas, it will only look at voluntary annexation. Sands explained that the plan does say that the City should work with Lisbon and the County in entering into a fringe area agreement, which means as the City grows, you want to see the City continue to grow in its urban fashion and not be blocked in by rural development. If a development is proposed in the City of Mount Vernon's growth area, it would be at Mount Vernon's standards (zoning and design) and not rural development standards. The County understands the development within the City's growth area should be at City standards. Henik said the question about water runoff was not answered and asked if it was in the plan. Sands said it was in the plan, not significantly, but the plan talks about conservation efforts throughout the plan as well as sustainability.

Bill Warhover, who owns property south of the City limits, addressed the Commission about his concerns. He and his wife moved to the area because of the

community and started a small business where they grow vegetables on their small farm. As he looks at the plan, not only where their home is but their business, it is designated as General Commercial. They did come to meet with the planning committee and expressed their concerns about what it would mean for not only their business but their home as the City looks to expand. He wants to see Mount Vernon grow and prosper and wants to be a part of it but felt that there was no accommodation for urban farming in the plan. He asks as Planning and Zoning looks at the plan and considers the future, that they begin to think about urban farming as part of the future. Jordan explained that after the Comprehensive Plan passes, it is Planning and Zoning's job to re-look at the zoning and subdivision ordinances and modify them to keep them consistent with the Comprehensive Plan. Jordan thinks the phrase "urban farming" strikes a chord with him and is excited about this himself.

Gary O'Malley, Superintendant of Mount Vernon Schools, said that he has read the plan and thanked the commission for being able to speak about it. He thinks it is a great first draft and if there are ways for the school district to help support this and if there are ways that the superintendent can help with either another draft or subsequent work on this, he would like to publicly state that it is important for the authors of the Comprehensive Plan to see the districts three year vision, which specifically talks about sharing resources, effective use of public dollars and doing things with mutual benefit and mutual respect in mind. He would also like the increased enrollment in the district taken into consideration in the plan and would like the City to work more collaboratively with the district.

Ken Neal lives west of Mount Vernon and echoed what John Henik said earlier. He owns 100 acres that is going to be incorporated and has never been contacted. His concern is whether it is voluntary or non-voluntary and how it will affect traditional farming the way he feels it should be done. Can he have livestock and continue to farm his farm practices or is the City going to step in and tell him how to do it. Jordan stated that no one would step in and tell him how to do it. As Sands explained, any annexation that is done would be done voluntarily. Hileman stated that what is being done tonight has nothing to do with the annexation of any land to the City of Mount Vernon. This hearing is not about that. Neal felt that it was a first step towards that. Hileman disagreed, saying that as far as the legal process of annexation goes, this hearing is simply not in the chain of events involved in annexation. This is about the "big picture" idea for the growth of Mount Vernon. Neal felt it was a "government over reach".

Chad Sands again explained that any land that is outside of the existing City limits now is not going to be part of the City limits unless that land owner wants to be annexed into the City limits. The Comprehensive Plan provides a guide for future development; this is what the City would like to see. It will not happen at all

unless the property owner wants it to happen. Until the property owner wants something to change, it will remain the way that it is. There is nothing in the Comprehensive Plan that says the City is going to go outside the city limits and annex land in. It is only going to happen voluntarily and what that means is if the property owner wants to develop their property and come into the City. Sands also explained how the “fringe area agreement” works. The County ensures that the local government has a plan that is justifiably based on population projections, the number of acres needed to reach that growth, and where that City’s potential growth area would be. The County would consider whether or not the City has properly planned for growth for the next 20 years. Essentially what this Comprehensive Plan does is say that based on past trends and potential future projections, the City’s population will be “X” and they might need “Y” amount of acres to house all of the new residents. Therefore, a large future growth area outside of the City limits was determined to go to the south, based on where the bypass was planned to be. That future growth area may eventually become part of the city, but that would be determined based on the developer, property owner, etc. on what they want to do with the Comprehensive Plan as a guide.

Janice Henik would like to see more emphasis in the plan put on sustainability, environmental impacts on native woodlands and vegetation and the impact of toxic waste site on the development. Jenna Wischmeyer agreed that those were some fair points but pointed out that this plan is a “framework” and for it to actually move forward for development, Planning and Zoning would need to do some work on the zoning side. There are already elements of these issues in the zoning/subdivision ordinance and she feels that this plan will allow the commission to look at those areas that need to be strengthened.

Wischmeyer thanked those in attendance and said she appreciated their comments and feedback. She said collaboration is key in these issues and would like to see more of it in the future in whatever direction the City goes in.

Council member Tom Wieseler asked to pass along information from the Sustainability Committee and stated that anything “green” that could be put into the Comprehensive Plan would be appreciated. He also thanked the committee for the work put into this plan and stated that the new city administration is interested in listening to its citizens.

Russ Neal stated that he has a small parcel of property that is adjacent to future land shown on the land use map. His property is not included in it but right next to his property is land proposed as Suburban Residential. When the bypass comes through, he is concerned about “explosive growth”, such as what happened in North Liberty. He does not want to see a row of houses next to his property and wondered if the City would be able to keep up with roads, sewer, electrical, etc.

Jordan stated that Planning and Zoning thinks in terms of contiguous development, slow expansion from where we are now and out. As long as the commission sticks with the idea of contiguous development, this explosive growth would not occur. Jan Henik asked how people would know that from the proposed land use map. Richard Peterson stated that you would have to read the entire report and not rely on a map that was in the paper, and you would also have to be familiar with the zoning ordinance and subdivision ordinance for the City of Mount Vernon to understand the process that people have to go through to develop anything. Peterson also said that the map is the “simplest possible depiction” of what the Comprehensive Plan is and there are layers behind it. To fully understand it you need to look at all of the layers.

City Administrator Chris Nosbisch referenced towns such as North Liberty, Waukee and Coralville and said they all did very little pre-planning. He agreed that there should be more communication moving forward and this was step one in a series of steps. The DOT will dictate the bypass, and what the City is trying to do is be proactive.

Jordan stated that one of the reasons that the land use map extends beyond the City is this needs to be done in order to have the “fringe area agreement” discussion. There wasn’t anyone on the committee that thought that anything would be done immediately within the fringe area, but development within the next 10 to 20 years is definitely possible. The job of the committee/commission is to look out for the interests of the City and that meant putting together what they thought would be good use of the land for the City. The land will never be annexed unless the person that owns the land wants to be annexed.

Guy Booth, a member of the Comprehensive Plan committee, wanted to explain the concept of the plan. First of all, it is required by the state. He did not think there was any land within the City limits that was not controlled by zoning. Everything is within a zoning code so people can’t do things unless their plan is within the current zoning rules. We know that we are going to have a lot of land that is going to be affected by the bypass and there is land outside of the City limits that may be affected in the future. Comprehensive Plans are developed so the City has a chance to have ultimate input as to how that land is used. If you have completely unzoned land, anyone can come in and say they want to use it for anything. If it is not covered in a Comprehensive Plan, the City has no authority over it.

Jordan closed the public hearing at 8:11 p.m. Jordan asked the City Administrator if he had any concerns about the plan. Nosbisch stated that a lot of what he had seen from the goals are very realistic and forward thinking. The real issues in front of the commission will be when the bypass comes through. The commission had a

brief discussion on what, if any, changes needed to be made to the plan. Items previously mentioned in the meeting were urban farming, which is not something that would need to be changed in the plan itself but discussed in the future on a zoning level. Collaboration with the school, County and Lisbon is covered in the plan so this would not need to be changed. More emphasis on sustainability and conservation was discussed but it was the consensus of the commission that the language in the plan was sufficient and once the Comprehensive Plan is approved, the commission can then go into the zoning ordinance and make more substantive changes if needed. Nosbisch said if you get too specific in the Comprehensive Plan, it will become outdated in five to seven years.

Peterson then made a motion to send the Comprehensive Plan on to City Council with the recommendation that they consider it seriously and adopt it. Motion seconded by Hileman. Roll call all yes. Motion passed.

4. Zoning Administrator Report. There was a Board of Adjustment meeting last month where they awarded a variance for a deck.
5. Old Business. Jordan has not yet talked to the City Council about the rental ordinance but will be sending them an e-mail soon.
6. New Business.

Meeting adjourned at 8:42 p.m.

Respectfully submitted,  
Marsha Dewell  
Deputy Clerk